

H.R. 1, *No Child Left Behind*: Questions and Answers

GENERAL QUESTIONS

Q. How does H.R. 1 differ from current law?

A. H.R. 1 is a serious overhaul of the federal investment in elementary and secondary education. It consolidates, streamlines, and reduces bureaucracy. The plan places student achievement first by rewarding states that raise student achievement and sanctioning states that fail, and by allowing children trapped in chronically failing schools to attend a public or private school or provider of choice.

Q. How is H.R. 1 different from what the President proposed on the campaign?

A. H.R. 1 builds on what the President proposed during the campaign. It presents the President's priorities for elementary and secondary education within a comprehensive reauthorization of the Elementary and Secondary Education Act of 1965.

ASSESSMENTS AND ACCOUNTABILITY

Q. Why does H.R. 1 require states to test annually in grades 3-8 in reading and math?

A. Annually testing each student is the best and only way to provide timely information on a child's academic progress and ensure that no child is left behind. Testing less frequently than every year does not provide sufficient information to enable adjustments in the student's instructional program, or for the teachers and the school system to make adjustments to meet the unique educational needs of their students.

This student-centered approach to school accountability does not mean that the individual student will be held personally accountable for test scores. Rather, the individual scores can be aggregated at the school, district, and state levels for the purpose of institutional and system accountability.

Q. Does H.R. 1 create a national test in reading and math for grades three through eight?

A. No. States will select the test that best suits their needs. The federal government will provide funding for states that do not have annual assessments to develop such assessments within three years. This provision is simply a requirement to assure that precious taxpayer dollars are not wasted on programs that don't work. The best way to assure this, without imposing a set of federal mandates, is by simply asking states to show annual results on the core academic basics of math and reading.

Q. Our state already tests kids. Does this mean new or additional tests on top of what students are already take?

A. As part of the 1994 reauthorization, states were required to develop and implement their own content standards, performance standards, and aligned assessments in reading and math. Specifically, the 1994 law required states to have a system in place to administer their state assessments at least once in each of three grade spans (3-5, 6-9, and 10-12) by the 2000-2001 school year. The Bush proposal builds on the 1994 law by giving states until the 2004-2005 school year to develop and implement state assessments to measure progress annually in grades 3-8 in reading and math.

As in the past, the assessments would continue to be selected by the states and local school districts -- not the federal government -- and they would be flexible enough to be met by current statewide tests. In so doing, it is our hope that this new tool will help improve instruction and learning by focusing on outputs -- year to year progress in student achievement -- instead of inputs such as dollars, teachers or textbooks.

Q. Why do states participate in an annual “second snapshot” assessment under H.R. 1, such as the NAEP assessment or another assessment selected by the state?

A. Under H.R. 1, a state’s improvement in academic achievement is measured in terms of its annual assessments, but for the purpose of sanctions and rewards, a “second snapshot” is taken with the state National Assessment of Educational Progress (NAEP), or another assessment selected for this purpose by a state. In other words, states that show significant progress on their own state exam will also need to show progress on either the fourth and eighth grade NAEP assessments or another assessment selected by the state meeting widely recognized professional and technical standards in order to receive rewards for improving academic achievement. These tests will only be used to shed light on state assessment results -- neither sanctions nor rewards will be determined solely by the results.

Q. If Washington requires testing but doesn’t pay for it, isn’t that an unfunded mandate?

A. H.R. 1 includes funds to assist states to develop annual assessments in grades 3-8 in reading and math. In addition, most states have assessments in reading and math in place for several grades. H.R. 1 and the President’s proposal build on the assessment requirements in current law in order to ensure that federal dollars are spent as effectively as possible to close the achievement gap.

ACCOUNTABILITY SCHOLARSHIPS

Q. Who is eligible to receive an accountability scholarship under H.R. 1?

A. Economically disadvantaged students who have attended a school that has failed to meet the state's standard for "adequate yearly progress" for three consecutive years are eligible to receive an accountability scholarship grant.

Q. Who receives a scholarship, the school or the parents?

A. Parents will select a school or provider of choice and funding will follow their children to the designated recipient.

Q. Under H.R. 1, how may the students use the funding?

A. Economically disadvantaged students within the school may use their pro-rata share of Title I funds to transfer to a higher performing public or private school, or receive supplemental educational services from a provider of choice.

Q. What is the definition of a "failing" school?

A. As under current law, each state will determine what constitutes "adequate yearly progress" for school districts and schools in their state. A school that has not made progress for three consecutive years is considered a "failing" school.

Q. What if there aren't any quality public schools and no affordable private schools?

A. Parents can use their share of funding at a public or private after-school, tutoring, or summer school program of choice. In addition, in areas where there is a clear demand for better services, private providers will rise to meet the demand of students trapped in failing schools.

Q. Why not limit choice to public schools?

A. Parents deserve to be offered meaningful school choice if their child's school is failing. In most cities, public school choice likely will suffice in meeting the diverse needs of our students. But unfortunately, in too many inner cities, adequate public schools are rare, often too far from where students reside, and in many cases with long waiting lists. For school choice to work, parents need to have a variety of choices within their own neighborhood. Under H.R. 1, private school choice only kicks in after the third year that a school fails to make adequate yearly progress.

Q. Won't accountability scholarships drain resources from poor-performing public schools with a high percentage of low-income children?

A. H.R. 1 works to ensure that Title I funds benefit children. Disadvantaged children need help now, and they should not be held hostage in order to protect the status quo. Accountability scholarships are just one way to ensure that federal funding follows disadvantaged children from public schools that have failed to show adequate yearly progress (AYP) for three consecutive years, to adequately performing public schools, private schools, or educational service providers of choice.

Q. How can accountability scholarships reform failing public schools?

A. Accountability scholarships provide a monetary incentive for schools to improve the academic achievement of disadvantaged children. Successful schools will be rewarded, failing schools will have to improve, and families will have more options.

H.R. 1 transforms the current federal role so that it is committed to the success of children. Accountability scholarships help ensure that a disadvantaged student can receive a quality education, wherever they choose to attend school.

Q. Isn't it true that accountability scholarships will only average about \$700? How will that amount do anything to improve a child's education?

A. School districts will calculate the amount of Title I funding that each child will receive. In some school districts this amount can rise to \$1500, but the average amount is close to \$700. Although \$700 or \$1500 may not appear to be a substantial amount, it is sufficient to cover the costs of supplemental services such as after school tutoring and other public or private education services or to subsidize tuition at a private school.

EXPANDING SCHOOL CHOICE

Q. Does H.R. 1 offer school choice for students who are not in failing schools? Does it address school choice apart from Accountability Scholarships in Title I?

A. This bill seeks to empower parents with informed parental choice in several ways:

- **Public School Choice.** If a school does not make adequate yearly progress for two years, the district must implement certain corrective actions to improve the school, such as replacing certain staff, as well as offer public school choice to all students in the failing school. Title I funds may be used for transportation costs.
- **Allowable use for disadvantaged students in failing schools.** Under Title IV Part A, the Innovative Program funds could be used for public school choice, or private school choice for disadvantaged students in failing schools.

- **School choice research and demonstration program.** Title IV part C establishes an Educational Opportunity Fund to set up a limited number of demonstration projects in order to research the effectiveness of school choice programs. The Secretary would be authorized to make competitive awards to eligible entities to carry out and evaluate, through contracts or grants, research projects that show promise of effectively demonstrating school choice options and increasing student achievement and overall school and LEA performance.
- **School safety transfers.** Under Part A of Title V, students attending unsafe schools, as defined by the state, or who are victims of violent crime would be able to transfer to a safe alternative, or to a private school if space is not available in a safe school.

FLEXIBILITY

Q. How does H.R. 1 grant flexibility to states and school districts?

A. The bill streamlines elementary and secondary education programs into seven titles. Within the titles are programs designed to accomplish specific educational objectives, such as improving teacher quality. It also grants states and school districts additional flexibility in how they may use their federal education dollars, with Straight A's performance agreements and transferability, under Title VII.

- The bill lowers the Title I schoolwide poverty threshold to 40 percent so that more schools have the flexibility to combine their federal program dollars and use them to improve the entire school.
- H.R. 1 includes the Academic Achievement for All Act. States and school districts committed to academic accountability would be eligible to apply for significant flexibility in the use of federal education dollars to meet state and local priorities, in exchange for significant accountability for improving academic achievement.
- The measure authorizes states and school districts to “transfer” funds between programs – up to 35 percent at the local level without state permission, and up to 100 percent with state sign-off.

Q. Why consolidate a program if it really works? Many of these programs would not be funded at the state level, and the only support they receive comes from the federal government.

A. There are more than 60 programs funded under the Elementary and Secondary Education Act. There are so many that few people can agree as to exactly how many exist. Few of these programs have ever been evaluated and demonstrated to have improved student achievement, and many of them are duplicative or fund activities that are not based on scientific research. H.R. 1 streamlines the myriad programs and ties federal dollars to accountability for performance in

order to get more dollars to school districts, and to ensure that funds are used effectively.

REWARDING SUCCESS

Q. How are successful states, school districts and schools rewarded?

A. H.R. 1 allows states to set aside up to 30 percent of any increase in Title I funding to reward schools (and teachers in such schools) that substantially close the achievement gap between the lowest and highest performing students and that have made outstanding yearly progress for two consecutive years.

DRUG AND VIOLENCE PREVENTION

Q. What does H.R. 1 do to improve school safety and reduce drug use?

A. Supporting Drug and Violence Prevention and Education for Students and Communities, the bill helps students meet challenging academic standards by empowering states and school districts to provide high quality education that is also safe and drug free. It provides funds for after-school programs, for school safety report cards, drug and violence prevention activities, and transfers to safe schools. States will be held accountable for using research-based programs to improve academic achievement, improve school safety and reduce drug use.

Q. Why does it combine 21st Century Schools with Safe and Drug Free Schools?

A. One of the main priorities of the *No Child Left Behind* proposal is to consolidate ESEA programs to make federal dollars more effective. Specifically, these programs are combined in order to ease the burden of administering two separate but similar programs that clearly overlap each other in statute and practice.

Q. How does this proposal protect teachers in the classroom?

A. In order for states to receive funds under Part A of Title V, Supporting Drug and Violence Prevention and Education for Students and Communities, the bill requires states to implement a statewide zero tolerance policy that ensures that teachers have the right to remove violent or persistently disruptive students from their classrooms. In addition, the bill includes protection from federal liability arising out of their efforts to maintain discipline in the classroom for teachers, principals, and school board members acting in their official capacity.

IMPROVING LITERACY BY FOCUSING ON WHAT WORKS

Q. What does H.R. 1 do to improve the reading skills of students in the early grades?

A. Every child should be reading by the third grade. The Reading First initiative will work to accomplish this goal by using federal dollars to improve literacy and by promoting research based reading instruction in the classroom. In addition, allocating funds to ensure that children begin school with the pre-reading skills they need to be able to read by third grade. In addition, the bill focuses on funding what works by ensuring that:

- Federal dollars fund reading programs grounded in scientifically based research.
- Professional development and technical assistance activities will be based on rigorous research.

ENHANCING EDUCATION THROUGH TECHNOLOGY

Q. What resources will be available for technology?

A. H.R. 1 streamlines duplicative technology programs into a performance based technology grant program that sends more money to schools. In doing so, it facilitates comprehensive and integrated education technology strategies that target the specific needs of individual schools. It also ensures that schools will not have to submit multiple grant applications and incur the associated administrative burdens to obtain education technology funding.

States and local school districts may use this funding to increase access to technology, improve or expand teacher professional development in technology, or promote innovative state and local technology initiatives that increase academic achievement.

Q. How does H.R. 1 ensure that technology funds reach needy schools?

A. Under H.R. 1, states must distribute 95 percent of their federal education technology funds to local educational agencies. Of that amount, the bill requires states to distribute 80 percent of those funds through a formula to high need local educational agencies. The remaining 20 percent will be distributed by states on a competitive basis.

IMPROVING TEACHER QUALITY

Q. Does H.R. 1 maintain a separate program for class size reduction?

A. H.R. 1 is premised on granting flexibility with accountability. The more than 15,000 school districts around the nation have differing needs when it comes to ensuring their students have quality teachers in the classroom. Consequently, the bill will not fund a separate program that can only be used by school districts for class size reduction. Instead, school districts will have the flexibility to use funds under this proposal to reduce class sizes by recruiting, hiring and training teachers, or on professional development.

Q. How will the President's plan raise teacher quality?

A. The bill holds states accountable for raising teacher quality, requiring that states use scientific research-based professional development, and encouraging states to develop tools to measure teacher quality based on student academic achievement.

HELPING LIMITED ENGLISH PROFICIENT STUDENTS

Q. How will H.R. 1 transition LEP students into regular English-speaking classrooms avoid increasing dropout rates?

A. There is no evidence that encouraging schools to quickly transition LEP students into English-speaking classrooms will increase dropout rates. To the contrary, research has shown that English language learners, when compared with their English-fluent peers, tend to receive lower grades and often score below the average on standardized math and reading assessments. Instead of making excuses, the bill focuses federal funding on teaching LEP children how to speak English.